

REMARKS

Claims 1-17 were pending in the present application. Claims 13-17 have been canceled herein. Thus claims 1-12 are now pending. The Applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

The Applicant notes with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all certified copies of the priority documents have been received.

The Applicant acknowledges and appreciates receiving a copy of the form PTO-1449 submitted with the Information Disclosure Statement filed on 10/23/2003 on which the Examiner has initialed all listed items.

Claims 1-17 stand rejected under 35 USC 102(b) as being allegedly anticipated by Tokunaga et al., U.S. Patent No. 5,945,606. Claims 13-17 are canceled herein and will not be discussed. Claim 1 is amended herein for clarification and the rejection is respectfully traversed with regard to claims 2-12.

In claim 1, the elastic member 1 includes the bead portion 18, which protrudes from the rear end flange 17, as shown, for example, in Fig. 1 of Applicant's specification. Accordingly, a margin for elastic deformation is formed between the rear end flange 17 and the sensor device 2 by the bead portion 18 as shown, for example, in Fig. 4 of Applicant's specification. Tokunaga fails to disclose, for example, the claimed bead portion.

In making the rejection, the Examiner contends that the elastic member (1) of Tokunaga includes a rear end flange (19a) which allegedly amounts to the claimed bead portion.

Applicants respectfully disagree with the characterization of Tokunaga and submit, as noted, that Tokunaga fails to disclose, for example, the claimed bead portion. Applicants note that rear end

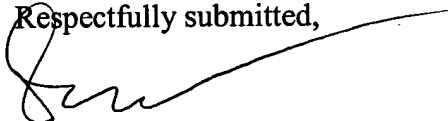
flange (19a) of Tokunaga does not correspond to the claimed bead portion since it does not protrude as claimed and appears as a conventional flange (see, e.g. Fig. 6C and 7 of Tokunaga). At best, the rear end flange (19a) of Tokunaga corresponds to the rear end flange 17 as discussed in Applicant's specification in connection with FIG. 5A-5D where Tokunaga is cited and discussed. However, since Tokunaga fails to disclose the claimed bead portion there is no margin between the rear end flange (19) and the body (31) of the sensor (3), Fig. 6C of Tokunaga.

Accordingly, a *prima facie* case of anticipation has not properly been established in that Tokunaga fails to disclose all the claimed features for at least the reasons set forth herein above. It is respectfully requested therefore that the rejection of claims 1-12 be reconsidered and withdrawn.

In view of the foregoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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